

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT KIRBY WELLS,

Debtor.

ALLIANZ LIFE INSURANCE COMPANY
OF NORTH AMERICA,

Garnishee.

Case No. 2:24-MC-00413-WBS-SCR

**FINAL ORDER OF CONTINUING
GARNISHMENT**

Criminal Case No. 2:21-CR-00164-WBS

On October 22, 2024, the United States filed an Application for Writ of Continuing Garnishment against Robert Kirby Wells' ("Debtor") interest in property. ECF 1. The Clerk of the Court issued the Writ and Clerk's Notice to Debtor. ECF 3. The United States served the Writ and related documents on Allianz Life Insurance Company of North America ("Garnishee") and Debtor. ECFs 4 and 10.

On March 6, 2025, the United States served Garnishee's Acknowledgment of Service and Answer of Garnishee on Debtor ("Answer"). ECF 5 and 8. In its answer, Garnishee stated that it has possession of an IRA with an approximate total value of \$10,596.69 (as of November 27, 2024. Id.

Debtor did not file a claim of exemption to the proposed garnishment or request a hearing, did not object to Garnishee's Answer, and did not otherwise object to the United States' garnishment action.

Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 302, on May 13, 2025, the Magistrate Judge issued findings and recommendations that recommended that the United States' request for final order of garnishment be granted and ordered that any objections were due within 15 days after service. ECF 12. The United States served the findings and recommendations on Debtor on May 15, 2025. ECF 13. Debtor did not object and the time to do so has passed.

In accordance with 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the case. Having carefully reviewed the file, the Court concludes that the Magistrate Judge's findings and recommendations are supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED THAT:

1. The Findings and Recommendations for Final Order of Continuing Garnishment (ECF 12) are ADOPTED IN FULL;

2. Garnishee Allianz Life Insurance Company of North America is directed to pay the Clerk of the United States District Court all of the funds held by Garnishee within fifteen (15) days of the filing of this Final Order of Garnishment. Payment shall be made in the form of a check, money order, or company draft, made payable to the "Clerk of the Court" and delivered to:

Office of the Clerk
501 I St., Rm. 4-200
Sacramento, CA 95814


The criminal docket number (**2:21-CR-00164-WBS**) shall be stated on the payment instrument;

3. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the case, if necessary; and

4. The garnishment shall terminate when the payment is deposited with the Clerk of the Court.

IT IS SO ORDERED.

Dated: June 17, 2025


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE